

1 however, vacancies in the office of forest preserve district
2 commissioner shall be filled within 60 days by appointment of
3 the president of the forest preserve district board of
4 commissioners with the advice and consent of the forest
5 preserve district board of commissioners. In counties in
6 which the forest preserve district president is not also a
7 member the county board, vacancies in the office of forest
8 preserve district president shall be filled within 60 days by
9 the forest preserve district board of commissioners by
10 appointing one of the commissioners to serve as president.

11 The appointee shall be a member of the same political party
12 as the person he succeeds was at the time of his election and
13 shall be otherwise eligible to serve. The appointee shall
14 serve the remainder of the unexpired term. However, if more
15 than 28 months remain in the term, the appointment shall be
16 until the next general election at which time the vacated
17 office shall be filled by election for the remainder of the
18 term. In the case of a vacancy in a seat on a county board
19 or board of county commissioners which has been divided into
20 districts under Section 2-3003 or 2-4006.5 of the Counties
21 Code, the appointee must also be a resident of the county
22 board or county commission district. If a county commissioner
23 ceases to reside in the district that he or she represents, a
24 vacancy in that office exists.

25 Except as otherwise provided by county ordinance or by
26 law, in any county which is a home rule unit, vacancies in
27 elective county offices, other than the office of chief
28 executive officer, and vacancies in the office of clerk of
29 the circuit court in a county of less than 3,000,000
30 population, shall be filled by the county board or board of
31 county commissioners.

32 (Source: P.A. 92-189, eff. 8-1-01.)

33 Section 10. The Downstate Forest Preserve District Act

1 is amended by changing Section 3c as follows:

2 (70 ILCS 805/3c)

3 Sec. 3c. Elected board of commissioners in certain
4 counties. If the boundaries of a district are co-extensive
5 with the boundaries of a county having a population of more
6 than 800,000 but less than 3,000,000, all commissioners of
7 the forest preserve district shall be elected from the same
8 districts as members of the county board beginning with the
9 general election held in 2002 and each succeeding general
10 election. One commissioner shall be elected from each
11 district. At their first meeting after their election in
12 2002 and following each subsequent decennial reapportionment
13 of the county under Division 2-3 of the Counties Code, the
14 elected commissioners shall publicly by lot divide themselves
15 into 2 groups, as equal in size as possible. Commissioners
16 from the first group shall serve for terms of 2, 4, and 4
17 years; and commissioners from the second group shall serve
18 terms of 4, 4, and 2 years. ~~Commissioners-elected-under-this~~
19 ~~Section---shall---take---office---at---the---first---meeting---of~~
20 ~~commissioners---following---an---election---of---commissioners.~~
21 Beginning with the general election in 2002, the president of
22 the board of commissioners of the forest preserve district
23 shall be elected by the voters of the county, rather than by
24 the commissioners. The president shall be a resident of the
25 county and shall be elected throughout the county for a
26 4-year term without having been first elected as commissioner
27 of the forest preserve district. The term of office for the
28 president and commissioners elected under this Section shall
29 commence on the first Monday of the month following the month
30 of election. Neither a commissioner nor the president of the
31 board of commissioners of that forest preserve district shall
32 serve simultaneously as member or chairman of the county
33 board. No person shall seek election to both the forest

1 preserve commission and the county board at the same
2 election. The compensation for the president shall be an
3 amount equal to 85% of the annual salary of the county board
4 chairman. The president, with the advice and consent of the
5 board of commissioners shall appoint a secretary, treasurer,
6 and such other officers as deemed necessary by the board of
7 commissioners, which officers need not be members of the
8 board of commissioners. The president shall have the powers
9 and duties as specified in Section 12 of this Act.

10 Candidates for president and commissioner shall be
11 candidates of established political parties.

12 If a vacancy in the office of president or commissioner
13 occurs, other than by expiration of the president's or a
14 commissioner's term, the forest preserve district board of
15 commissioners shall declare that a vacancy exists and
16 notification of the vacancy shall be given to the county
17 central committee of each established political party within
18 3 business days after the occurrence of the vacancy. If the
19 vacancy occurs in the office of forest preserve district
20 commissioner, the president of the board of commissioners
21 shall, within 60 days after the date of the vacancy, with the
22 advice and consent of other commissioners then serving,
23 appoint a person an-individual to serve for the remainder of
24 the unexpired term. The appointee shall be affiliated with
25 the same political party as the commissioner in whose office
26 the vacancy occurred and be a resident of such district. If
27 a vacancy in the office of president occurs, other than by
28 expiration of the president's term, the remaining members of
29 the board of commissioners shall, within 60 days after the
30 vacancy, appoint one of the commissioners to serve as
31 president for the remainder of the unexpired term. In that
32 case, the office of the commissioner who is appointed to
33 serve as president shall be deemed vacant and shall be filled
34 within 60 days by appointment of the president with the

1 advice and consent of the other forest preserve district
2 commissioners. The commissioner who is appointed to fill a
3 vacancy in the office of president shall be affiliated with
4 the same political party as the person who occupied the
5 office of president prior to the vacancy. A person appointed
6 to fill a vacancy in the office of president or commissioner
7 shall establish his or her party affiliation by his or her
8 record of voting in primary elections or by holding or having
9 held an office in an established political party organization
10 before the appointment. If the appointee has not voted in a
11 party primary election or is not holding or has not held an
12 office in an established political party organization before
13 the appointment, the appointee shall establish his or her
14 political party affiliation by his or her record of
15 participating in an established political party's nomination
16 or election caucus. If, however, more than 28 months remain
17 in the unexpired term of a commissioner or the president, the
18 appointment shall be until the next general consolidated
19 election, at which time the vacated office of commissioner or
20 president shall be filled by election for the remainder of
21 the term. Notwithstanding any law to the contrary, if a
22 vacancy occurs after the last day provided in Section 7-12 of
23 the Election Code for filing nomination papers for the office
24 of president of a forest preserve district where that office
25 is elected as provided for in this Section, or as set forth
26 in Section 7-61 of the Election Code, a vacancy in nomination
27 shall be filled by the passage of a resolution by the
28 nominating committee of the affected political party within
29 the time periods specified in the Election Code. The
30 nominating committee shall consist of the chairman of the
31 county central committee and the township chairmen of the
32 affected political party. All other vacancies in nomination
33 shall be filled in accordance with the provisions of the
34 Election Code.

1 The president and commissioners elected under this
2 Section may be reimbursed for their reasonable expenses
3 actually incurred in performing their official duties under
4 this Act in accordance with the provisions of Section 3a.
5 The reimbursement paid under this Section shall be paid by
6 the forest preserve district.

7 Compensation for forest preserve commissioners elected
8 under this Section shall be the same as that of county board
9 members of the county with which the forest preserve
10 district's boundaries are co-extensive.

11 (Source: P.A. 91-933, eff. 12-30-00.)"